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EXCISE

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FM SECSTATE WASHDC

TO AMEMBASSY BEIJING IMMEDIATE

INFO AMEMBASSY ALMATY IMMEDIATE

AMEMBASSY BISHKEK

AMCONSUL GUANGZHOU

AMCONSUL HONG KONG

AMCONSUL SHANGHAI

AMCONSUL SHENYANG

DEPARTMENT OF STATE 50 Date: 5/27/97
 RELEASE DECLASSIFY
 EXCISE DECLASSIFY EO Citations
 DENY IN PART

POIA Exemptions 31 TS authority to
PA Exemptions CLASSIFY as S or C Sec.
 DOWNGRADE TS to S or C

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BEIJING PLEASE PASS CHENGDU

E.O. 12356: DECL: OADR

TAGS: CASC, PREL, PHUM, CH, US

SUBJECT: SECOND DEMARCHE TO CHINESE CHARGE ON AMCIT HARRY
WU'S DETENTION IN CHINA

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REF: (A) STATE 155214; (B) BEIJING 027568 AND PREVIOUS

1. CONFIDENTIAL - ENTIRE TEXT.

2. THIS IS AN ACTION MESSAGE. ACTION REQUEST IN PARA 11.

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SUMMARY

3. FOR THE SECOND TIME IN TWO DAYS, CHINESE CHARGE D'AFFAIRES ZHOU WENZHONG WAS SUMMONED TO THE DEPARTMENT CONCERNING CONSULAR ACCESS TO DETAINED AMERICAN HARRY WU. EAP A/S WINSTON LORD STRESSED HOW SERIOUSLY THE USG VIEWS THE DETENTION OF AMERICAN CITIZENS AND DEMANDED IMMEDIATE CONSULAR ACCESS TO HARRY WU AND CALLED FOR HIS PROMPT RELEASE. QUOTING THE CONSULAR CONVENTION, LORD CITED CHINA'S LEGAL RESPONSIBILITY TO GRANT IMMEDIATE ACCESS TO MR. WU. HE URGED THE CHINESE GOVERNMENT TO FULFILL ITS CONSULAR RESPONSIBILITIES AND NOT TO LET PROBLEMS IN OTHER AREAS OF OUR RELATIONSHIP INFLUENCE OUR CONSULAR RELATIONS. IN RESPONDING,

[REDACTED]

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4. LORD NOTED THE HIGH LEVEL OF U.S. CONCERN OVER CHEN ZIMING'S REINCARCERATION ON JUNE 25, A CASE OF PAST PRESIDENTIAL INVOLVEMENT. CHEN IS NOT A WELL MAN, LORD NOTED. ZHOU TOOK ISSUE, SAYING THAT HE HAS BEEN RETURNED TO PRISON BECAUSE HE HAS RECOVERED. ZHAO ¹⁵ CLOSED WITH SEVERAL POINTS ON TAIWAN, INCLUDING THE EFFECT OF RECENT DECISIONS ON OUR RELATIONS WITH CHINA AND INQUIRING ABOUT THE SUBSTANCE OF LOCAL NEWSPAPER STORIES CONCERNING RECENT U.S. MILITARY SALES TO TAIWAN. THE LEE VISIT, ZHAO ? CHARGED, HAS "SHAKEN THE VERY FOUNDATION" OF THE ONE-CHINA POLICY. LORD TOOK EXCEPTION SAYING THAT OUR POLICY HAD NOT CHANGED, AND URGING THAT CHINESE LEADERS RESPOND TO OUR OVERTURES TO RESTORE MOMENTUM IN OUR RELATIONS. LORD OFFERED TO GET BACK TO ZHOU IF THERE WERE ANY SUBSTANCE TO THE NEWS STORIES. END SUMMARY.

5. LORD THEN SAID THAT GOOD RELATIONS ARE IN CHINA'S INTEREST AS WELL AS OURS AND THE CHINESE RESPONSE TO OUR REASSURANCES WAS PREVENTING REENGAGEMENT. WE WERE MOVING ON SEVERAL FRONTS IN ASIA AND HOPE GOOD RELATIONS WOULD BE

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PART OF THAT. THAT WOULD REQUIRE CHINESE COOPERATION, HOWEVER.

HARRY WU: LACK OF CONSULAR ACCESS IS UNACCEPTABLE

6. EAP ASSISTANT SECRETARY WINSTON LORD SUMMONED THE CHINESE CHARGE D'AFFAIRES, ZHOU WENZHONG TO THE DEPARTMENT ON JUNE 28, FOR THE SECOND DEMARCHE IN AS MANY DAYS. ZHOU WAS ACCCOMPANIED BY POLITICAL COUNSELLOR LU SHUMIN AND
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SECOND SECRETARY ZHENG ZEGUANG. CA/OCS OFFICER MONICA GAW AND EAP/CM OFFICERS JOHN FOARDE AND DIANE KELLY ALSO ATTENDED.

7. THE PRINCIPAL INTENT OF THE MEETING WAS TO INSIST FIRMLY UPON ADHERENCE TO THE TERMS OF OUR BILATERAL CONSULAR AGREEMENT AND TO PRESS FOR IMMEDIATE ACCESS TO AMERICAN CITIZEN HARRY WU, WHO HAS BEEN IN DETENTION IN WESTERN CHINA SINCE JUNE 19. READING FROM TALKING POINTS (AT PARA 11) LORD STERNLY REMINDED ZHOU THAT WE TAKE VERY SERIOUSLY THE DETENTION OF AMERICAN CITIZENS ABROAD. STRONGLY URGING THAT THE CHINESE GOVERNMENT ADHERE TO THE CONSULAR AGREEMENT, HE CALLED FOR APPROVAL OF OUR REQUEST TO VISIT WU. PROBLEMS IN OTHER ASPECTS OF OUR RELATIONS SHOULD NOT BE PERMITTED TO AFFECT OUR CONSULAR RELATIONS, LORD ADDED. HE REITERATED: WE WANT IMMEDIATE ACCESS TO HARRY WU AND WE URGE THE CHINESE GOVERNMENT TO RELEASE HIM PROMPTLY. WE EXPECT CHINA TO LIVE UP TO ITS LEGAL AND CONSULAR COMMITMENTS, WHICH, IN THIS CASE ARE "CRYSTAL CLEAR."

WU HAS BROKEN CHINESE LAW -- STILL NO FORMAL CHARGES

8. CHARGE ZHOU RESPONDED,

[REDACTED]

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TAIWAN VISITOR HAS SOURED U.S. - CHINA RELATIONS

9. ZHOU ARGUED

10. LORD RIPOSTED THAT THE U.S. HAS MADE CLEAR THAT IT
HAD NOT CHANGED ITS FUNDAMENTAL CHINA POLICY DUE TO LEE
TENG-HUI'S VISIT: THE PRESIDENT RARELY MEETS WITH

AMBASSADORS, BUT HE MET WITH AMBASSADOR LI TO ASSURE HIM
THAT OUR POLICY HAD NOT CHANGED WITH THE LEE VISIT.
SECRETARY CHRISTOPHER HAD WRITTEN IN THIS VEIN TO THE
FOREIGN MINISTER AND SUGGESTED WAYS TO RESUME MOMENTUM.
A/S LORD NOTED THAT HE AND OTHER U.S. GOVERNMENT LEADERS

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HAVE RECENTLY AND PUBLICLY REITERATED THAT THERE IS NO
CHANGE IN OUR CHINA POLICY AND THAT OUR POLICY IS ONE OF
ENGAGEMENT, NOT CONTAINMENT. HE REMINDED ZHOU THAT HE AND
OTHER SENIOR OFFICIALS HAVE RECENTLY REAFFIRMED OUR CHINA
POLICY IN UNAMBIGUOUS AND AUTHORITATIVE TERMS. WE ARE
DISAPPOINTED WITH CHINESE RESPONSES AND ACTIONS, THE
FAILURE TO RESPOND TO THE SECRETARY'S LETTER, AND THE

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IMPOSITION OF BARRIERS TO OUR ACCESS OF LATE. ALTHOUGH WE ARE PREPARED TO REENGAGE AND HAVE TAKEN MANY STEPS TO DO SO, HE CHARACTERIZED RESPONSES FROM CHINESE LEADERS AS NOT "ENLIGHTENED." LORD ARGUED THAT WE WANT TO GET TO A MORE CONSTRUCTIVE PHASE IN OUR RELATIONS BUT CANNOT DO THIS WITHOUT A POSITIVE RESPONSE FROM THE CHINESE LEADERSHIP. LORD POINTED OUT THAT WE ARE MOVING FORWARD IN OUR ASIA POLICY, E.G. THE RECENT KOREAN ACCORD, THE TRADE AGREEMENT TODAY WITH JAPAN, AND THE UPCOMING REGIONAL SECURITY DIALOGUES. WE WOULD LIKE TO SEE POSITIVE RELATIONS WITH CHINA AS PART OF THIS, BUT THIS WOULD REQUIRE COOPERATIVE EFFORTS BY THE CHINESE.

11. TEXT OF DEMARCHE. BEGIN TEXT:

DETENTION OF AMERICAN CITIZEN PETER H. (HARRY) WU
-- AMERICAN CITIZEN HARRY WU HAS BEEN DETAINED IN THE BORDER TOWN OF KARAMAY, IN XINJIANG PROVINCE SINCE JUNE 19.

-- WE UNDERSTAND THAT YOUR GOVERNMENT NOTIFIED OUR EMBASSY IN BEIJING ON JUNE 23, WITHIN THE 4-DAY LIMIT STIPULATED IN THE U.S.-CHINA BILATERAL CONSULAR AGREEMENT.

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-- OUR CONSUL GENERAL IN BEIJING REQUESTED A STATUS REPORT. ENUMERATION OF ANY CHARGES LODGED AGAINST WU, AND AGREEMENT FOR A CONSULAR VISIT FROM THE MFA ON MONDAY, JUNE 26. HE RETURNED TODAY, 48-HOURS AFTER THE REQUEST WAS MADE, FOR A FOLLOW-ON MEETING. THE RESULTS OF THAT MEETING WERE INCONCLUSIVE AND UNSATISFACTORY. YOUR GOVERNMENT ADVISED THAT THE REQUEST FOR A CONSULAR VISIT TO MR. WU IS STILL UNDER CONSIDERATION, WITHOUT APPROVING IT. MR. WU'S PRECISE LOCATION WAS NOT DISCLOSED AND WE WERE APPRISED N EITHER OF ANY FORMAL CHARGES NOR OF MR. WU'S IMMINENT RELEASE OR DEPORTATION. GIVEN THE TIME THAT HAS ELAPSED, THESE RESPONSES ARE LEGALLY AND MORALLY UNACCEPTABLE.

-- AS YOU KNOW, WE TAKE THE SECURITY OF AMERICAN CITIZENS OVERSEAS VERY SERIOUSLY.

-- ACCORDING TO OUR BILATERAL CONSULAR AGREEMENT, A CONSULAR VISIT SHOULD TAKE PLACE "AS SOON AS POSSIBLE,

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BUT, AT THE LATEST, SHALL NOT BE REFUSED AFTER 2 DAYS FROM THE DATE ON WHICH" YOUR GOVERNMENT NOTIFIED US OF HIS DETENTION.

-- WE CANNOT UNDERSTAND WHY OUR REQUEST FOR CONSULAR ACCESS HAS NOT YET BEEN APPROVED. I STRONGLY URGE THAT YOUR GOVERNMENT ADHERE TO OUR CONSULAR AGREEMENT AND APPROVE THIS REQUEST IMMEDIATELY.

-- PROBLEMS IN OTHER ASPECTS OF OUR RELATIONSHIP SHOULD NOT BE PERMITTED TO OVERFLOW INTO THE CONSULAR AREA.

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-- MR. WU'S DETENTION IS UNFORTUNATE NOT ONLY IN ITSELF, BUT OCCURS AT A TIME WHEN OUR BILATERAL RELATIONSHIP IS TROUBLED BY OTHER SERIOUS ISSUES. I BELIEVE THAT WE BOTH HAVE A CLEAR-CUT INTEREST IN PUTTING MR. WU'S CASE BEHIND US, AND MOVING AHEAD TO DEVOTE DUE ATTENTION TO IMPROVING OUR BILATERAL TIES. CONVERSELY, IF MR. WU'S CASE IS NOT RESOLVED QUICKLY, IT IS PLAIN THAT THE CONSEQUENCES WILL NOT BE LIMITED TO HIS OWN SITUATION.

-- FINALLY, LET ME REITERATE CLEARLY: WE URGE YOUR GOVERNMENT TO FACILITATE OUR IMMEDIATE ACCESS TO HARRY WU AND THAT HE BE RELEASED PROMPTLY.
(END TEXT OF DEMARCHE)

12. ACTION REQUEST: CHARGE IS REQUESTED TO DELIVER A PARALLEL DEMARCHE SOONEST AT THE HIGHEST AVAILABLE LEVEL.

13. CHARGE IS ALSO REQUESTED TO SEND A CHINESE-SPEAKING CONSULAR OFFICER TO XINJIANG (URUMQI) SO AS TO BE ON HAND WHEN CONSULAR ACCESS IS APPROVED AND TO underscore OUR EXPECTATION THAT SUCH APPROVAL WILL BE GRANTED RAPIDLY.

CHRISTOPHER

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